



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,542	09/26/2005	Max Landaeus	04-663	9356

34704 7590 10/18/2006

BACHMAN & LAPOINTE, P.C.  
900 CHAPEL STREET  
SUITE 1201  
NEW HAVEN, CT 06510

EXAMINER
----------

WIMER, MICHAEL C

ART UNIT	PAPER NUMBER
----------	--------------

2821

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/520,542

Applicant(s)

LANDAEUS ET AL.

Examiner

Michael C. Wimer

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 15-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, page 3 of the specification, at lines 5-7, states that p.c. card portion 3 is "substantially completely free of metallic components", which is not entirely true and clear. Since the card portion 3 must have a pad contact for the connector 15, then there is a conductive component. The specification is silent as to the carrier 4 being free of conductors or metallic components. Page 4, lines 5-10 describe the relationship of the "contactor device 15" which is a connector of the antenna radiator 5 to the p.c. board portion 3, which has a conductive pad. Page 5, lines 6-10 describe the aperture 20 for allowing the connector to pass therethrough and make contact with the pad on the p.c. board portion 3. The aperture 20 also communicates with the "accommodation space 10" (page 3, lines 11-17). Since the connector 15 is disposed in an aperture 20, it also is in the carrier 4, and is a metallic component. The pad on the portion 3 connects the connector 15 and is also

a metallic component. Thus, the newly added/claimed language is not disclosed, as originally filed.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 15-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The added and new language to the "accommodation space being substantially free of metallic components" is not entirely understood and is without question misdescriptive of the actual invention and how it is assembled and defined. The p.c. board pad connects to the transceiver circuitry and the antenna connector 15 connects to that pad in the accommodation space 10. The claims must define the invention in a clear and accurate manner so as to define a properly operating device.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over British Pat. No. 2345208 to Davidson et al.

Regarding Claims 15-17,20,21 and 29, Davidson et al. show in Figures 1,2a-2c,3a-3g and 7-9, an antenna device 20 for a portable radio comprising a carrier 23 of insulating material, and being fixable on a circuit card 10 of the radio, and supports a radiator 21 disposed within a groove and having a contactor device 22 in Figures 2b and 2c, the carrier 23 having an accommodation space (such as 26a in Fig. 2c). Although the radiator conductor 21 is shown disposed along the top surface thereof from the contact 22 to an end remote thereof, it would have been obvious to the skilled artisan to provide the radiator at the remote end. Alternatively, notice in Fig. 1, that at least portions of the antenna radiator are located at the end of the carrier remote from the card 10.

Further, regarding Claim 17, Fig. 4 shows at least portion 24 forming projections as claimed. Additionally, regarding the added language in Claim 15 and that in Claim 29, that the accommodation space is free of metallic components, notice Fig. 6 where actual contact pads 62a,b are shown, not as "protrusions" but as flat contact areas, printed on the dielectric, as is the antenna on the opposite surface thereof. Such contact pads are not considered "metallic components" for at least the reason that they do not protrude in to the space of the dielectric carrier 23. They take up no space within the carrier 23 and are mere extensions of the printed antenna element 61. Note, the space in the carrier is not meant to "house" electric/metallic components like applicants distinctive connector 15 projecting in the carrier's space.

Regarding Claims 18 and 19, Fig. 8 shows a variation of the basic invention and resilient snap members 813 as claimed.

Regarding Claim 22-26, Figures 4 and 5 show a generally T shaped radiator with a portion connected to the contactor. Shaping of the radiator is purely a matter of obviousness as the choice is dependent upon radiation characteristics such as pattern, frequency, matching and band of service.

Regarding Claims 27 and 28, the antenna elements shown in Figures 1 and 3a are comprised of parallel spaced radiators that branch from the feeder.

### ***Response to Arguments***

7. Applicant's arguments filed 7/24/2006 have been fully considered but they are not persuasive. Specifically, the added language in Claim 15, and that in new Claim 29 is considered to define other conductive components, and NOT the conductor line of the antenna itself. In fact, the electrical and conductive/metallic component 15 of applicant's invention does in fact define what is apparently

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

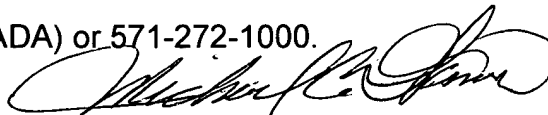
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wimer whose telephone number is (571) 272-1833. The examiner can normally be reached on M-F.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael C. Wimer  
Primary Examiner  
Art Unit 2821